

Will the broadcast flag interfere with consumers ability to make copies of DTV content for their personal use, either on personal video recorders or removable media?

Yes. A copyright flag will force people to buy new recording units that are in compliance with the laws, and that is an expense many can ill-afford at this economic juncture. Furthermore, the definition of `reasonable' is far from clear. Is one copy reasonable? Two? No copies at all? Those who sell content may well decide that no copies should be made at all.

Would the digital flag interfere with consumers ability to send DTV content across networks, such as home digital networks connecting digital set top boxes, digital recorders, digital servers and digital display devices?

Yes. Depending on how the scheme is implemented, a flag may significantly increase the size of digital media, making it next to impossible to send it over the older communications networks still dominating much of the US and the world. Forcing upgrades would be unwise now, and would force many out of the digital age entirely.

Would the broadcast flag requirement limit consumers ability to use their existing electronic equipment (equipment not built to look for the flag) or make it difficult to use older components with new equipment that is compliant with the broadcast flag standard?

Yes. Content sellers, whose entire business model focuses on controlling who sees their content and when, have a vested interest in making it hard to copy media they sell. Older devices, which do not honor the broadcast flag standard, would be seen as `circumvention devices' and banned under the Digital Millennium Copyright Act. This is unacceptable.

Would a broadcast flag requirement limit the development of future equipment providing consumers with new options?

Yes. Anyone who desires to make new consumer electronics would have to go through the additional expense and complexity of honoring the broadcast flag standard. That will happen either at the expense of higher prices, unacceptable in today's economy, or new features. Electronics forced to implement a broadcast flag standard will, therefore, be feature-poor and less attractive to consumers.

What will be the cost impact, if any, that a broadcast flag requirement would have on consumer electronics equipment?

It would increase prices, probably substantially. A cryptographically secure broadcast flag standard would require complex and expensive electronics to implement, significantly raising the price of consumer electronics without offering consumers any new functionality. As far as consumers are concerned, money spent on a broadcast flag is money down the drain.

Other Comments:

The entire notion of a broadcast flag is dangerous. It sets the precedent of treating average, law-abiding citizens as criminals, and it makes those citizens pay for the bars of their corporation-imposed prisons. The broadcast flag must be stopped.